

**REMARKS**

**Pending Claims**

Claims 20-26 and 28-47 are pending in this application. Claims 20, 25, 26, 32, 37 and 45-47 have been amended. No new matter has been added.

**Claim Objections**

Claims 25, 26, 45-47 have been objected to because of minor informalities. Claims 25, 26 and 45-47 have been amended in order to overcome the objection.

**Claim Rejections under 35 U.S.C. §102**

Claims 20, 25, 27, 31, 32, 37, 39, 43-45 and 47 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication 2002/0028004 by Miura et al. Reconsideration of the rejection is requested in view of the foregoing amendments made to the independent claims and for the following reasons.

The independent claims require that a feature of a vein pattern of a finger be obtained or extracted. Light is irradiated to a finger (two light sources in claims 20 and 32) alternately from two sides of the finger (claims 20, 25, 32 and 37). As a result, the problem with imaging of a finger in which saturated regions of the image can occur by the reflection of light on the side face of the finger is overcome. A single image unit (claims 20 and 37) captures the light transmitted through the finger. Further, each of the two light sources and the image capture unit are not opposite each other in a coaxial form (claims 25 and 32). Accordingly, the claimed combination of independent claims 20, 25, 32 and 37 is not anticipated by Miura.

The single image capture unit of claims 20, 37, 46 and 47 is not met by the disclosure of Miura since each of these claims has been amended to further set forth that the feature of the vein pattern of the finger is extracted from the plurality of captured images generated by using the light irradiated by the two light sources (claims 20 and 32) or the light irradiated from the first and second sides of the finger (claims 25 and 37). Thus, the amendments to the claims clarify that the image capture unit or the capturing step captures a plurality of images generated using the light transmitted through a finger from two sides of the finger. Accordingly, Applicants have not further amended the claims in response to the Office Action to set forth that the single image capture unit of the claimed combination is the only single image capture unit. Rather, Applicants respectfully assert that claims 20, 37, 46 and 47 are not anticipated by Miura for the foregoing reasons.

With respect to independent claims 25 and 32, the image capture unit and the light source part of the claimed combination are set forth so as to not be opposite each other in coaxial form. Miura does not disclose this aspect of the claimed combination since the combination of light sources 2 and CCD cameras 4, as shown in Fig. 5 of the reference, are provided on a one-for-one basis. That is, the light sources and cameras of Miura are respectively axially aligned so that each camera detects light transmitted from one side of a finger from which a vein pattern is being extracted. Accordingly, each of claims 25 and 32 is not anticipated by Miura.

For the foregoing reasons, independent claims 20, 25, 32 and 37, as well as dependent claims 27, 31, 39 and 43-45 and 47 are not anticipated by Miura under 35 U.S.C. §102(b).

**Claim Rejections under 35 U.S.C. §103**

Claims 21, 26, 33, 38 and 46 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0028004 by Miura et al.

Claims 23, 29, 34, and 40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0028004 by Miura et al. in view of U.S. Patent Publication 2002/0048014 by Kono et al.

Claims 22, 28, 36 and 42 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0028004 by Miura et al. in view of U.S. Design Patent 382,862 by Nakayama et al.

Claims 24, 30, 35 and 41 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0028004 by Miura et al. in view of U.S. Patent 5,177,802 by Fujimoto et al.

Applicants request reconsideration of these rejections since none of the secondary references of Kono, Nakayama and Fujimoto overcomes the above noted deficiencies in Miura. Further, Applicants position with respect to each of the secondary references is of record. Applicants supplement their position by noting that in Nakayama, which is relied upon for disclosing a guide part for receiving the finger for causing the finger to arc along the length thereof, does not cause the finger to arc where the finger is being imaged. The object of causing the finger to arc is to relieve the strain on the skin and resultant obstruction of blood flow that may result that can cause difficulties in imaging the vein pattern. *See*, page 23, line

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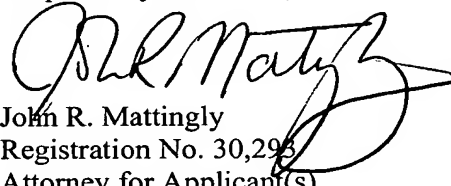
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24 - page 24, line 7 of the specification. Accordingly, the rejections under 35 U.S.C. § 103(a) should be withdrawn since each of these dependent claims is patentable at least for being dependent from a patentable base claim.

### CONCLUSION

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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